

**NOTICE:** While reasonable efforts have been made to assure the accuracy of the data herein, this is **NOT** the official version of Senate Journal. It is published to provide information in a timely manner, but has **NOT** been proofread against the events of the session for this day. All information obtained from this source should be checked against a proofed copy of the Senate Journal.

## UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



Thursday, June 3, 1999.

Met at eight minutes past eleven o'clock A.M.

### *Distinguished Guests.*

The President introduced, seated in the rear of the Chamber, Jack Rioni, Treasurer of the Agawam Democratic Committee, Louie Russo, Secretary of the Agawam Democratic Committee, along with students from the tenth grade class at Agawam High School. The group was accompanied by Representative Keenan of Southwick and were the guests of Senator Melconian.

### *Petitions.*

Petitions were presented and referred, as follows:

By Mr. Morrissey, a petition (subject to Joint Rule 12) of Michael W. Morrissey, Robert S. Creedon, Jr., and Kathleen M. Teahan (by vote of the town) for legislation to authorize the town of Abington to issue an additional license for the sale of alcoholic beverages [Local approval received];

By Mr. Moore, a petition (subject to Joint Rule 12) of Richard T. Moore, Stanley C. Rosenberg, Therese Murray, Carol C. Cleven and other members of the General Court for legislation to require notification to the Department of Public Health for certain school construction projects;

By Mr. Tolman, a petition (subject to Joint Rule 12) of Steven A. Tolman (by vote of the town council) for legislation relative to salaries of Watertown town councillors [Local approval received]; and

By Mr. Travaglini, a petition (subject to Joint Rule 12) of Robert E. Travaglini and Salvatore F. DiMasi for legislation to establish drug free zones around public libraries;

**Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

### *Reports of Committees.*

By Mr. Montigny, for the committee on Ways and Means, that the House Bill making appropriations for fiscal year 2000 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4401, printed as amended), ought to pass with the following amendments:

Striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2000; and by inserting before the enacting clause the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is immediately to make appropriations for the fiscal year beginning July 1, 1999, and to make certain changes in law, each of which is immediately necessary or appropriate to effectuate said appropriations or for other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

[Direct Appropriation:.....\$19,953,254,836

Retained Revenue Authorization:.....\$ 879,595,480

Total:.....\$20,832,850,316.]

**Referred, under Senate Rule 26, to the committee on Steering and Policy.**

**Subsequently, Mr. Brewer, for the said committee on Steering and Policy, reported that the matter be placed in the Orders of the Day for Wednesday, June 9, pursuant to the provisions of Senate Rule 27A.**

By Ms. Walsh, for the committee on Taxation, on Senate, Nos. 1530, 1543, 1552, 1578, 1585, 1597, 1632, 1642 and 1660, an Order relative to authorizing the joint committee on Taxation to make an investigation and study of Senate documents relative to administrative matters (Senate, No. 1808);

By the same Senator, for the same committee, on Senate, Nos. 1496, 1497, 1499, 1511, 1524, 1539, 1593, 1611, 1626, 1627 and 1647, an Order relative to authorizing the joint committee on Taxation to sit during the recess of the General Court for the purpose of making an investigation and study of Senate documents relative to property taxes (Senate, No. 1809);

By the same Senator, for the same committee, on Senate, Nos. 332, 1546, 1565, 1566, 1567, 1568, 1569, 1601, 1604, 1615, 1636 and 1640, an Order relative to authorizing the joint committee on Taxation to make an investigation and study of Senate documents relative to transportation issues (Senate, No. 1810);

By the same Senator, for the same committee, on Senate, Nos. 1498, 1528, 1535, 1540, 1557, 1564, 1581, 1583, 1592, 1596, 1606, 1612, 1614, 1617, 1629 and 1654, an Order relative to authorizing the joint committee on Taxation to sit during the recess of the General Court for the purpose of making an investigation and study of Senate documents relative to sales tax (Senate, No. 1813); and

By the same Senator, for the same committee, on Senate, Nos. 1501, 1504, 1527, 1570, 1571, 1579, 1584, 1598, 1618, 1622, 1639, 1648, 1650 and 1652, an Order relative to authorizing the joint committee on Taxation to sit during the recess of the General Court for the purpose of making an investigation and study of Senate documents relative to personal income taxes (Senate, No. 1814);

**Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.**

By Ms. Walsh, for the committee on Taxation, on petition, a Bill relative to extending certain property tax exemptions to the surviving spouses of disabled veterans (Senate, No. 1534);

**Read and, under Senate Rule 27, referred to the committee on Ways and Means.**

By Mr. Morrissey, for the committee on Government Regulations, on Senate, Nos. 412 and 413, a Bill relative to the issuance of seasonal licenses for the sale of alcoholic beverages (Senate, No. 1811);

By the same Senator, for the same committee, on Senate, Nos. 340 and 374 and House, No. 2694, a Bill relative to licensed veterans organizations (Senate, No. 1812); and

By Mr. Pacheco, for the committee on Natural Resources and Agriculture, on petition, a Bill authorizing the Massachusetts Water Resources Authority to grant access to its sewer systems to the Cambridge School, Inc, of Weston, MA (Senate, No. 1715);

**Severally read and, under Senate Rule 26, referred to the committee on Steering and Policy.**

Mr. Brewer, for the committee on Steering and Policy, reported that the following matters be placed in the Orders of the Day for the next session:

The Senate Bill providing for equal treatment of resident owners of cooperative housing corporations in assessment of local taxes (printed as House, No. 561); and

The House report of the committee on Government Regulations, ought NOT to pass, on so much of the recommendations of the Office of Consumer Affairs and Business Regulation (House, No. 9) as relates to the testing of natural gas meters (accompanied by bill, House, No. 44).

### ***Committee Discharged.***

Mr. Pacheco, for the committee on Natural Resources and Agriculture, reported, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 995) of Robert A. Havern for legislation to establish a sewer rate relief fund for the purpose of providing assistance for rate increases; and

Of the petition (accompanied by bill, Senate, No. 1053) of Bruce E. Tarr, Anthony J. Verga and James P. Jajuga for legislation to direct the Secretary of Environmental Affairs to establish a program to assist cities and towns in the treatment of wastewater;

And recommending that the same severally be referred to the Senate committee on Ways and Means.

**Under Senate Rule 36, the reports were severally considered forthwith and accepted.**

**Severally sent to the House for concurrence in the discharge of the joint committee.**

### **PAPERS FROM THE HOUSE.**

A message from His Excellency the Governor recommending legislation relative to providing for emergency maintenance of environmental assets of the Commonwealth (House, No. 4367),— **was referred, in concurrence, to the committee on Natural Resources and Agriculture.**

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4369) of Ronald W. Gauch relative to the Massachusetts Municipal Wholesale Electric Company;

**Under suspension of Joint Rule 9, to the committee on Government Regulations.**

Petition (accompanied by bill, House, No. 4380) of Pamela J. Neilon, David M. Torrissi, Barry R. Finegold and others (with the approval of the mayor and city council) relative to authorizing the city of Lawrence to use certain park and playground land for school purposes;

**To the committee on Local Affairs.**

Petition (accompanied by bill, House, No. 4381) of Evelyn G. Chesky (with the approval of the mayor and city council) for legislation to authorize employees of the geriatric authority of the city of Holyoke to participate in the contributory retirement system for public employees; and

Petition (accompanied by bill, House, No. 4382) of Douglas W. Petersen and Edward J. Clancy, Jr. (by vote of the town) relative to the position of fire chief in the town of Swampscott;

**Severally to the committee on Public Service.**

Bills Relative to the conveyance of certain land from Nantucket County to the town of Nantucket (House, No. 3977,— on petition); and

Authorizing Nantucket County to convey certain land (House, No. 3978,— on petition);

**Were severally read and, under Senate Rule 26, referred to the committee on Steering and Policy.**

A report of the committee on Education, Arts and Humanities, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 277) of Richard T. Moore, Guy W. Glodis, Stephen M. Brewer, Vincent A. Pedone and the AFSCME, Council 93, by Anthony Caso, executive director, for legislation relative to the leasing and contracting of property and facilities by the University of Massachusetts Medical Center, and recommending that the same be referred to the committee on Public Service,— **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

### ***Matter Taken Out of the Orders of the Day.***

There being no objection, the following matter was taken out of the Orders of the Day and considered, as follows:

The Senate Bill authorizing the Tri-County Regional Technical School District to transfer land to the town of Franklin (Senate, No. 943),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed.**

**Sent to the House for concurrence.**

### **PAPER FROM THE HOUSE.**

The Senate Bill furthering the redevelopment of the former Lawrence Mills property in the city of Lowell (Senate, No. 1726, amended),— came from the House passed to be engrossed, in concurrence, *with an amendment*, by striking out, in line 1, the word "may" (as changed by the Senate committee on Bills in the Third Reading) and inserting in place thereof the words "may subject to appropriation, and".

**The rules were suspended, on motion of Mr. Bernstein, and the House amendment was considered forthwith and adopted (as corrected by Senate BTR), in concurrence.**

### ***Resolutions.***

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:— Resolutions (filed by Messrs. Bernstein and Glodis) "commemorating the one hundred and fiftieth anniversary of Children's Friend, Inc. of Worcester";

Resolutions (filed by Mr. Brewer) "honoring Richard L. Nickless";

Resolutions (filed by Ms. Creem) "congratulating the Kiwanis Club of Brookline on the occasion of its seventy-fifth anniversary";

Resolutions (filed by Mr. Rauschenbach) "on the occasion of the retirement of Alfred J. Menesale";

Resolutions (filed by Mr. Rosenberg) "congratulating Carl John Schuhle on the occasion of his one hundredth birthday";

Resolutions (filed by Mr. Shannon) "recognizing the Franklin School on its one hundredth anniversary"; and

Resolutions (filed by Ms. Tucker) "congratulating the Community Day Charter School in Lawrence on being re-chartered."

### **PAPER FROM THE HOUSE.**

A petition (accompanied by bill, House, No. 4390) of Arthur J. Broadhurst and James P. Jajuga relative to appeals of certain decisions of the Registrar of Motor Vehicles,— **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Public Safety.**

### ***Reports of Committees.***

By Ms. Melconian, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Raymond V. Mariano, mayor, Thomas R. Hoover, city manager, Guy W. Glodis and Robert A. Bernstein (with the approval of the city council) for legislation to authorize the city of Worcester to establish fines and other measures for the control of dogs in the city of Worcester [Local approval received].

**Senate Rule 36 was suspended, on motion of Mr. Clancy, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Counties.**

By Ms. Melconian, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Marc R. Pacheco and Dianne Wilkerson for legislation to require the Division of Occupational Hygiene to adopt a certain pathogen standard.

**Senate Rule 36 was suspended, on motion of Mr. Clancy, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Health Care.**

By Ms. Melconian, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Therese Murray, Viriato Manuel deMacedo, Thomas P. Kennedy, Charles E. Shannon and other members of the General Court for legislation to provide for access to certain state parks at reduced rates for elderly and disabled persons.

**Senate Rule 36 was suspended, on motion of Mr. Clancy, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Natural Resources and Agriculture.**

By Ms. Melconian, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Raymond V. Mariano, mayor, Thomas R. Hoover, city manager, Robert A. Bernstein, William J. McManus, II and other members of the General Court (with the approval of the city council) for legislation to authorize the re-conveyance of park land from the Commonwealth to the city of Worcester.

**Senate Rule 36 was suspended, on motion of Mr. Clancy, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration.**

By Ms. Melconian, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Dianne Wilkerson and Gloria L. Fox for legislation relative to certain leases of the Department of Public Health within the Dudley Square area of the city of Boston.

**Senate Rule 36 was suspended, on motion of Mr. Clancy, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration.**

**Severally sent to the House for concurrence.**

### ***Order Adopted.***

On motion of Ms. Melconian,—

*Ordered*, That when the Senate adjourns today, it adjourn to meet again on Monday next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

On motion of Mr. Tisei, at fourteen minutes past eleven o'clock A.M., the Senate adjourned to meet on the following Monday at eleven o'clock A.M.

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